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 DOLLAR TREE STORES, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

MIGUEL A. CRUZ and JOHN D.
 HANSEN, individually and on behalf of all
 others similarly situated,

Plaintiffs,

v.

DOLLAR TREE STORES, INC.,
 Defendant.

ROBERT RUNNINGS individually, and on
 behalf of all others similarly situated,

Plaintiff,

v.

DOLLAR TREE STORES, INC.,
 Defendant.

Case Nos. C 07 2050 SC and C 07 04012 SC

**DECLARATION OF KRISTA
 STEVENSON JOHNSON IN SUPPORT
 OF DOLLAR TREE STORES, INC.'S
 MOTION TO DECERTIFY THE CLASS**

Hearing: July 23, 2010
 Time: 10:00 a.m.
 Dept.: 1, 17th Floor
 Judge: Hon. Samuel Conti

Trial Date: March 7, 2011
 Complaints Filed: April 11, 2007
 July 6, 2007

1 I, KRISTA STEVENSON JOHNSON, declare:

2 1. I have personal knowledge of the facts set forth below. If called upon as a
3 witness, I could testify competently thereto. I am an attorney duly licensed to practice before all the
4 courts of the State of California. I am a shareholder in the firm of Littler Mendelson, counsel for
5 Defendant Dollar Tree Stores, Inc. ("Defendant") in the above-entitled action.

6 2. The instant action was filed by Robert Runnings on July 6, 2007 in Alameda
7 County Superior Court. On the basis of the Class Action Fairness Act of 2005, Dollar Tree removed
8 the case to federal district court on August 7, 2007. Following Dollar Tree's request for
9 reassignment to a district court judge, the matter was assigned to the Honorable Phyllis J. Hamilton.
10 This matter was consolidated with the above-captioned Cruz/Hansen complaint before the
11 Honorable Samuel Conti on August 31, 2007.

12 3. On May 26, 2009, the Court issued its Order Granting Plaintiffs' Amended
13 Motion For Class Certification which certified a class consisting of all persons who are/were
14 employed by Defendant in California as store managers since December 12, 2004. On July 2, 2009,
15 the Court amended such order to include the May 26, 2009 end point for the Class Period.

16 4. There are two related single plaintiff cases currently pending in the California
17 Superior Court in Santa Cruz and Santa Clara Counties: (1) Randy Smith v. Dollar Tree Stores, Inc.,
18 et al., Case No. CIS-CV-160473 (Santa Cruz); and (2) Diane Fierro v. Dollar Tree Stores, Inc., et al.,
19 Case No. 108CV103712 (Santa Clara). Plaintiff Smith opted out of the Class and his overtime
20 lawsuit is scheduled for a 7-10 day trial to commence on August 30, 2010. Plaintiff Fierro's state
21 court action is stayed pending resolution of this case and/or the issuance of a decertification order.

22 5. Before May 2009, Defendant took the depositions of the named Plaintiffs and
23 four additional Class Members. Since May, 2009, Defendant has taken 58 more Class Member
24 depositions in this case and in the single plaintiff exemption cases of *Fierro v. Dollar Tree* and *Smith*
25 *v. Dollar Tree*.

26 6. Relevant excerpts of all deposition testimony, including the Class Member
27 depositions, and the deposition of Plaintiff's expert David Lewin, Ph.D. and Defendant's expert
28

1 Robert Crandall, are attached to this declaration in alphabetical order by last name, and numbered as
2 set forth below.

3 7. On May 21, 2010, our office attended the deposition of Robert Armstrong in
4 this matter. Attached hereto as **Exhibit 1** are true and correct copies of relevant excerpts from
5 Armstrong's deposition.

6 8. On May 25, 2010, our office attended the deposition of Paul Avila in this
7 matter. Attached hereto as **Exhibit 2** are true and correct copies of relevant excerpts from Avila's
8 deposition.

9 9. On May 28, 2010, our office attended the deposition of Raymond Ayala in
10 this matter. Attached hereto as **Exhibit 3** are true and correct copies of relevant excerpts from
11 Ayala's deposition.

12 10. On April 6, 2010, our office attended the deposition of Chester Lee Banks in
13 this matter. Attached hereto as **Exhibit 4** are true and correct copies of relevant excerpts from
14 Banks' deposition.

15 11. On February 13, 2009, our office took the deposition of Alan Black in this
16 matter. Attached hereto as **Exhibit 5** are true and correct copies of relevant excerpts from Black's
17 deposition.

18 12. On September 25, 2009, our office took the deposition of Eloisa Buitron in
19 this matter. Attached hereto as **Exhibit 6** are true and correct copies of relevant excerpts.

20 13. On March 31, 2010, our office attended the deposition of Kyle Chapman in
21 this matter. Attached hereto as **Exhibit 7** are true and correct copies of relevant excerpts from
22 Chapman's deposition.

23 14. On November 3, 2009, our office attended the deposition of Patricia Chin in
24 this matter. Attached hereto as **Exhibit 8** are true and correct copies of relevant excerpts from
25 Chin's deposition.

26 15. On April 6, 2010, our office attended the deposition of Raquel Corona in this
27 matter. Attached hereto as **Exhibit 9** are true and correct copies of relevant excerpts from Corona's
28 deposition.

1 16. On April 29, 2010, our office attended the deposition of David Cross in this
2 matter. Attached hereto as **Exhibit 10** are true and correct copies of relevant excerpts from Cross'
3 deposition.

4 17. On October 12, 2007, and November 2, 2007, our office took the deposition
5 of plaintiff Miguel Cruz in this matter. Attached hereto as **Exhibit 11** are true and correct copies of
6 relevant excerpts from Cruz's deposition and exhibits.

7 18. On March 22, 2010, our office attended the deposition of Michael Deubert in
8 this matter. Attached hereto as **Exhibit 12** are true and correct copies of relevant excerpts from
9 Deubert's deposition.

10 19. On April 5, 2010, and May 3, 2010, our office attended the deposition of Scott
11 Diehl in this matter. Attached hereto as **Exhibit 13** are true and correct copies of relevant excerpts
12 from Diehl's deposition.

13 20. On May 27, 2010, our office attended the deposition of Sherry Doubleday in
14 this matter. Attached hereto as **Exhibit 14** are true and correct copies of relevant excerpts from
15 Doubleday's deposition.

16 21. On June 24, 2009, our office took the deposition of Nancy Dougherty in this
17 matter. Attached hereto as **Exhibit 15** are true and correct copies of relevant excerpts from
18 Dougherty's deposition.

19 22. On December 12, 2008, our office attended the deposition of James Dunaway
20 in this matter. Attached hereto as **Exhibit 16** are true and correct copies of relevant excerpts from
21 Dunaway's deposition.

22 23. On April 5, 2010, our office attended the deposition of Diana Durston in this
23 matter. Attached hereto as **Exhibit 17** are true and correct copies of relevant excerpts from
24 Durston's deposition.

25 24. On April 20, 2010, our office attended the deposition of Rosemary Faria in
26 this matter. Attached hereto as **Exhibit 18** are true and correct copies of relevant excerpts from
27 Faria's deposition.

1 25. On April 14, 2008, our office took the deposition of Diana Fierro in this
2 matter. Attached hereto as **Exhibit 19** are true and correct copies of relevant excerpts from Fierro's
3 deposition and exhibits.

4 26. On May 19, 2010, our office attended the deposition of Mireya Gomez in this
5 matter. Attached hereto as **Exhibit 20** are true and correct copies of relevant excerpts from Gomez's
6 deposition.

7 27. On April 7, 2010, our office attended the deposition of Rick Gonzalez in this
8 matter. Attached hereto as **Exhibit 21** are true and correct copies of relevant excerpts from
9 Gonzalez's deposition.

10 28. On May 26, 2010, our office attended the deposition of Mark Gore in this
11 matter. Attached hereto as **Exhibit 22** are true and correct copies of relevant excerpts from Gore's
12 deposition.

13 29. On May 20, 2010, our office attended the deposition of Debra Hall in this
14 matter. Attached hereto as **Exhibit 23** are true and correct copies of relevant excerpts from Hall's
15 deposition.

16 30. On April 1, 2010, our office attended the deposition of Elaine Hamman in this
17 matter. Attached hereto as **Exhibit 24** are true and correct copies of relevant excerpts from
18 Hamman's deposition.

19 31. On October 11, 2007, our office took the deposition of plaintiff John Hansen
20 in this matter. Attached hereto as **Exhibit 25** are true and correct copies of relevant excerpts from
21 Hansen's deposition and exhibits.

22 32. On May 14, 2010, our office attended the deposition of Jerry Hawley in this
23 matter. Attached hereto as **Exhibit 26** are true and correct copies of relevant excerpts from
24 Hawley's deposition.

25 33. On April 13, 2010, our office attended the deposition of Paul Hayes in this
26 matter. Attached hereto as **Exhibit 27** are true and correct copies of relevant excerpts from Hayes'
27 deposition.

1 34. On May 26, 2010, our office attended the deposition of Lionel Hebert in this
2 matter. Attached hereto as **Exhibit 28** are true and correct copies of relevant excerpts from Hebert's
3 deposition.

4 35. On November 8, 2008, our office attended the deposition of David E. Hensley
5 in this matter. Attached hereto as **Exhibit 29** are true and correct copies of relevant excerpts from
6 Hensley's deposition.

7 36. On February 5, 2009, our office attended the deposition of Carlos Hernandez
8 in this matter. Attached hereto as **Exhibit 30** are true and correct copies of relevant excerpts from
9 Hernandez's deposition.

10 37. On April 8, 2010, our office attended the deposition of Bob Hodge in this
11 matter. Attached hereto as **Exhibit 31** are true and correct copies of relevant excerpts from Hodge's
12 deposition.

13 38. On October 8, 2009, our office attended the deposition of Sharon Holland in
14 this matter. Attached hereto as **Exhibit 32** are true and correct copies of relevant excerpts from
15 Holland's deposition.

16 39. On April 23, 2010, our office attended the deposition of Richard Hoyt in this
17 matter. Attached hereto as **Exhibit 33** are true and correct copies of relevant excerpts from Hoyt's
18 deposition.

19 40. On October 5, 2009, our office took the deposition of Tami Huntsman in this
20 matter. Attached hereto as **Exhibit 34** are true and correct copies of relevant excerpts from
21 Huntsman's deposition.

22 41. On June 1, 2010, our office attended the deposition of Christopher James in
23 this matter. Attached hereto as **Exhibit 35** are true and correct copies of relevant excerpts from
24 James' deposition.

25 42. On February 17, 2009, our office took the deposition of Stephan Kuhn in this
26 matter. Attached hereto as **Exhibit 36** are true and correct copies of relevant excerpts from Kuhn's
27 deposition.
28

1 43. On June 2, 2010, our office attended the deposition of David Lewin, Ph.D., in
2 this matter. Attached hereto as **Exhibit 37** are true and correct copies of relevant excerpts from
3 Lewin's deposition.

4 44. On May 21, 2010, our office attended the deposition of April Lugo in this
5 matter. Attached hereto as **Exhibit 38** are true and correct copies of relevant excerpts from Lugo's
6 deposition.

7 45. On February 13, 2009, our office took the deposition of Randy Maldonado in
8 this matter. Attached hereto as **Exhibit 39** are true and correct copies of relevant excerpts from
9 Maldonado's deposition and exhibits.

10 46. On May 13, 2010, our office attended the deposition of Thomas Martinez in
11 this matter. Attached hereto as **Exhibit 40** are true and correct copies of relevant excerpts from
12 Martinez's deposition.

13 47. On March 29, 2010, our office attended the deposition of Conrad Mayhew in
14 this matter. Attached hereto as **Exhibit 41** are true and correct copies of relevant excerpts from
15 Mayhew's deposition.

16 48. On March 24, 2010, our office attended the deposition of Charles Messer in
17 this matter. Attached hereto as **Exhibit 42** are true and correct copies of relevant excerpts from
18 Messer's deposition.

19 49. On February 19, 2009, our office took the deposition of Elvira Montes in this
20 matter. Attached hereto as **Exhibit 43** are true and correct copies of relevant excerpts from Montes'
21 deposition.

22 50. On June 25, 2009, our office took the deposition of Jose Moreno in this
23 matter. Attached hereto as **Exhibit 44** are true and correct copies of relevant excerpts from
24 Moreno's deposition.

25 51. On April 22, 2010, our office attended the deposition of Darryl Moore in this
26 matter. Attached hereto as **Exhibit 45** are true and correct copies of relevant excerpts from Moore's
27 deposition.
28

1 52. On May 4, 2010, our office attended the deposition of Ann Musk in this
2 matter. Attached hereto as **Exhibit 46** are true and correct copies of relevant excerpts from Musk's
3 deposition.

4 53. On April 13, 2010, our office attended the deposition of Jose Navarro in this
5 matter. Attached hereto as **Exhibit 47** are true and correct copies of relevant excerpts from
6 Navarro's deposition.

7 54. On December 17, 2009, our office attended the deposition of Karen Sue
8 Patrick in this matter. Attached hereto as **Exhibit 48** are true and correct copies of relevant excerpts
9 from Patrick's deposition.

10 55. On April 21, 2010, our office attended the deposition of Monica Penunuri in
11 this matter. Attached hereto as **Exhibit 49** are true and correct copies of relevant excerpts from
12 Penunuri's deposition.

13 56. On March 30, 2010, our office attended the deposition of Arnoldo Pineda in
14 this matter. Attached hereto as **Exhibit 50** are true and correct copies of relevant excerpts from
15 Pinedo's deposition.

16 57. On March 31, 2010, and May 12, 2010, our office attended the deposition of
17 Marvin Reyes in this matter. Attached hereto as **Exhibit 51** are true and correct copies of relevant
18 excerpts from Reyes' deposition.

19 58. On December 12, 1007, our office took the deposition of plaintiff Robert
20 Runnings in this matter. Attached hereto as **Exhibit 52** are true and correct copies of relevant
21 excerpts from Runnings' deposition and exhibits.

22 59. On May 3, 2010, our office attended the deposition of Westley Sanders in this
23 matter. Attached hereto as **Exhibit 53** are true and correct copies of relevant excerpts from Sanders'
24 deposition.

25 60. On April 22, 2010, our office attended the deposition of Tom Sarefield in this
26 matter. Attached hereto as **Exhibit 54** are true and correct copies of relevant excerpts from
27 Sarefield's deposition.
28

1 61. On October 6, 2009, our office took the deposition of Chris Topher Schneider
2 in this matter. Attached hereto as **Exhibit 55** are true and correct copies of relevant excerpts from
3 Schneider's deposition.

4 62. On June 16, 2009, our office took the deposition of David Alan Toto in this
5 matter. Attached hereto as **Exhibit 56** are true and correct copies of relevant excerpts from Toto's
6 deposition.

7 63. On May 25, 2010, our office attended the deposition of Benedicto Trinidad III
8 in this matter. Attached hereto as **Exhibit 57** are true and correct copies of relevant excerpts from
9 Trinidad's deposition.

10 64. On April 14, 2010, our office attended the deposition of Miriam Valli in this
11 matter. Attached hereto as **Exhibit 58** are true and correct copies of relevant excerpts from Valli's
12 deposition.

13 65. On May 25, 2010, our office attended the deposition of Michael Walton in
14 this matter. Attached hereto as **Exhibit 59** are true and correct copies of relevant excerpts from
15 Walton's deposition.

16 66. On May 20, 2010, our office attended the deposition of Jason Whitton in this
17 matter. Attached hereto as **Exhibit 60** are true and correct copies of relevant excerpts from
18 Whitton's deposition.

19 Executed in San Francisco, California on June 18, 2010. I have read this Declaration
20 and hereby declare, under penalty of perjury under the laws of the United States of America, that it is
21 true and correct.

22
23 /s/ Krista Stevenson Johnson
24 KRISTA STEVENSON JOHNSON

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